

SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

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**DISSOLUTION OF MARRIAGE/LEGAL SEPARATION/NULLITY
FORMS AND GENERAL INFORMATION PACKET**

PART II. FINISHING YOUR CASE

TYPE D: CONTESTED CASE

This packet includes forms and instructions to *finish* your Dissolution of Marriage (Divorce)/Legal Separation/Nullity case. The instructions are on colored paper, the forms are on white. Please read all of the instructions before you begin.

ALERT! The forms contained in this packet finish your case. If you have not started your case, you must obtain the first packet entitled “Part I. Beginning the Process.”

NOTE: ALL BOLDDED ITEMS IN THESE INSTRUCTIONS ARE THE NAMES OF FORMS FOLLOWED BY THE FORM NUMBER.

In order to determine which forms are required to finish your case, you must first determine which type of case you have. The four different types are listed below:

- TYPE A:** PETITION filed and served, no RESPONSE filed within 30 days of completed service of the Petition and Summons, and you and your spouse **DO NOT HAVE A WRITTEN AGREEMENT**. This type of case is referred to as a **TRUE DEFAULT CASE** (Yellow Packet).
- TYPE B:** PETITION filed and served, no RESPONSE filed within 30 days of completed service of the Petition and Summons, and you and your spouse **HAVE A WRITTEN AGREEMENT** on all issues. This type of case is referred to as a **DEFAULT CASE** (Green Packet).
- TYPE C:** PETITION filed and served, RESPONSE filed and served, and you and your spouse **HAVE A WRITTEN AGREEMENT** on all issues. This type of case is referred to as an **UNCONTESTED CASE** (Pink Packet).

TYPE D: PETITION filed and served, RESPONSE filed and served, and there is NO WRITTEN AGREEMENT on all issues. This type of case is referred to as a **CONTESTED CASE** (seek legal assistance). (Golden Rod Packet)

Once you have determined which type of case you have, follow the instructions. All steps must be completed and all information must be provided before your Judgment can be granted. If your case is either a **TYPE A, B or C**, you most likely will be able to obtain a final Judgment without ever appearing in court. If your case is a **TYPE D**, you should seek legal assistance or consult with the Family Law Facilitator.

| **Note!** A written agreement, as used in these instructions, means a document signed |
| by both parties, which includes the terms of your agreement regarding your |
| community/separate property, spousal support, child support, and child custody and |
visitation,

TYPE D. CONTESTED CASE

Response filed and there is no written agreement between the parties. Court hearing held.

ALERT! COMPLETION OF FORMS—(All forms in the first packet entitled “Part I. Beginning the Process” must be filed first).

1. To finish your case, the following forms must be completed.

- ☐ **Judgment** (FL-180) Complete this form.
www.courtinfo.ca.gov/forms/fillable/fl180.pdf

If child support were ordered by the court.

- ☐ *Stipulation to Establish or Modify Child Support and Order* (Form FL-350) or acknowledgement under Family Code §4065 included in written agreement.
www.courtinfo.ca.gov/forms/fillable/fl350.pdf
- ☐ *Child Support Case Registry Form*, (Form FL-191)
www.courtinfo.ca.gov/forms/fillable/fl191.pdf
- ☐ *Notice of Rights and Responsibilities—Health Care Costs and Reimbursement Procedures and Information on Changing a Child Support Order*, (Form FL-192) (Attachment only). www.courtinfo.ca.gov/forms/documents/fl192.pdf
- ☐ Department of Child Support Services has approved Judgment if child support is being collected through their agency.
- ☐ *Notice of Entry of Judgment*, (Form FL-190)
www.courtinfo.ca.gov/forms/fillable/fl190.pdf
- ☐ **Family Law Judgment Checklist**. This form is your declaration that you have provided all of the required documents to the court. Answer all items under the “Contested Case” section of this form, sign and date. If an item is not applicable, indicate with a “N/A.” However, most items are required so check these instructions before assuming an item/document is not required.

FILING

2. The forms listed above should be submitted to the Express Window in the Clerk’s Office at the same time. However, some forms have special filing requirements.
- a. **Family Law Judgment Checklist** – Submit the original. **Judgment** - Submit the **original and two copies** to the Express Window in the Clerk’s Office. The clerk will forward the documents for processing. Once the **Judgment** has been signed, the clerk will file the original.

An optional large self-addressed stamped envelope with postage prepaid may be included if you would like copies of the **Judgment** mailed to you. Otherwise, the copies will be left in the “Pro Per Bin” which is located next to the Attorney bins, where you may pick them up approximately six (6) weeks after submission.

- b. If your Judgment contains CHILD SUPPORT provisions, you must submit the original and two copies of the following documents along with the above-mentioned documents:
 - i. **Child Support Case Registry Form** (Form FL-191)
www.courtinfo.ca.gov/forms/fillable/fl191.pdf
 - ii. **Stipulation to Establish or Modify Child Support and Order** (FL-350), if applicable www.courtinfo.ca.gov/forms/fillable/fl350.pdf

You must also attach the following informational sheets to the **Judgment**:

- iii. **Notice of Rights and Responsibilities—Health Care Costs and Reimbursement Procedures and Information on Changing a Child Support Order** (Form FL-192) (Attachment only)
www.courtinfo.ca.gov/forms/documents/fl192.pdf

If you would like the support to be garnished from the payor's paycheck, you must submit the original and two copies of the **Order/Notice to Withhold Income for Child Support** www.courtinfo.ca.gov/forms/fillable/fl195.pdf. After the judicial officer has signed this **Order/Notice**, you must mail the **Order/Notice** to your spouse's employer. If you need assistance, contact the Family Law Assistance Center, which is located on the 3rd Floor of the courthouse.

- c. If your Judgment contains SPOUSAL SUPPORT waivers and you were married for ten years or more, you must submit the original and two copies of the **Income and Expense Declaration** (all four pages) along with the above-mentioned documents. You may also submit the original and two copies of the **Earnings Assignment Order for Spousal Support** www.courtinfo.ca.gov/forms/fillable/fl435.pdf if you would like the payments to be taken from the payor's paychecks. After the judge has signed this **Order**, you must mail the **Order** to your spouse's employer. If you need assistance, contact the Family Law Assistance Center located on the 3rd Floor of the courthouse.
- d. **Notice of Entry of Judgment**
www.courtinfo.ca.gov/forms/fillable/fl190.pdf Submit **original and two copies** along with *two large stamped envelopes*, one addressed to you and the other addressed to your spouse with the court's address as the return address. The Clerk will enter the date of final Judgment on this form, file the original and mail one copy to you and the other copy to your spouse. If you provide large enough envelopes, the Clerk will include copies of the **Judgment** when mailing the **Notice of Entry of Judgment**.